

Gregory County Commission Proceedings

The regular meeting of the Gregory County Commission was held Tuesday, February 1, 2022 at 9:00 a.m. in Burke with the following members present: Jessy Biggins, Myron Johnson, Jeff Johnson, and Lance Matucha. Members absent: Bob Hausmann. Also present: Julie Bartling, Gregory County Auditor.

The meeting was opened with all reciting the Pledge of Allegiance.

Approval of Agenda: Motion by Myron Johnson, second by Lance Matucha to approve the agenda as presented. All members present voted aye. Motion carried.

Approval of Minutes: Motion by Myron Johnson, second by Lance Matucha to approve the minutes of the January 18, 2022 meeting with the following correction:

Holidays: Strike the words “granted as paid leave” and insert “granted as time off”.

It is further motioned that the following corrections be made to the January 4, 2022 minutes:

County Highway Department Employee: David Jaros, NOT Doug Jaros

Correction of Dixon Bridge Number: Should be #27-030-081

All members present voted aye. Motion carried.

Conflicts of Interest: The Chair asked if there were any conflicts of interest from members present. None were notated.

Ex-Parte Communications: The Chair inquired if there have been any ex-parte communications by any member present. None were notated.

Public Input: The Chair opened the meeting for public input.

Dennis Pense and Shawn Claussen, representing the Burke VFW, met with the Board to discuss moving the Veterans Memorial from the Courthouse north parking lot to the south side of the VFW building. Motion by Jeff Johnson, second by Lance Matucha to gift the Veterans Memorial to the Burke VFW at no cost to the Veterans group. The memorial will be moved by April 15, 2022. All members present voted aye. Motion carried.

Courthouse Landscape Committee Report: Kelsea Sutton, representing the appointed landscape committee, met to discuss engaging a landscaping firm (Tallgrass of Custer, SD) to discuss designing a landscaping plan for the Courthouse parking lot and campus. Tallgrass Landscape Architecture will be contacted to propose a plan to the Commission at the next meeting for consideration.

Extension Office Hours: Laura Kahler, 4-H Advisor, met with the Commission via zoom, to discuss the hours currently set for the 4-H/Extension Office. The Board will continue to discuss the hours with the new 4-H Advisor when SDSU hires Mrs. Kahler’s replacement, as the Board desires to find a way to keep the office open 8 hours each day.

Bid Lettings: The following bid lettings were held at 10:00 a.m. as advertised:

Chip Seal Hauling:

<u>Bidder</u>	<u>Stockpile @ Landfill</u>
Naper Transport-	\$20.97/ton
J&J Materials-	\$21.25/ton
Gentele Construction-	\$19.55/ton

Motion by Jeff Johnson, second by Myron Johnson to accept the low bid of Gentele Construction. All members present voted aye. Motion carried.

Chip Seal Bids:

<u>Bidder</u>	<u>Projects-CR 31; CR 23; CR-47</u>
Bituminous Paving, Inc.	\$323,565.08
Topkote, Inc.	\$271,913.47
The Road Guy Construction Co., Inc.	\$259,959.12

Motion by Lance Matucha, second by Jeff Johnson to accept the low bid of The Road Guy Construction Co., Inc. All members present voted aye. Motion carried.

Asphalt Bids:

<u>Bidder</u>	<u>Picked Up at Plant</u>	<u>Applied Incl. Asphalt</u>	<u>Fine Blade Mix Applied</u>
Bituminous Paving, Inc.	No Bid	\$119/ton	\$155/ton
Commercial Asphalt	\$82/ton	\$108/ton	\$120/ton

Motion by Myron Johnson, second by Jeff Johnson to accept the low bid of Commercial Asphalt. All members present voted aye. Motion carried.

Equipment Rate Bids: The bid letting for equipment rates was held at 10:30 a.m. as advertised. The following contractors submitted equipment rates that the county may utilize throughout the 2022 construction season:

Schweigert Construction, Inc.
Sand Construction, Inc.
Gentele Construction, LLC
E&I Excavating (Ed Dostal)

The rates bids are on file in the Gregory County Auditor's office and the Gregory County Highway Department Office.

Motion by Myron Johnson, second by Lance Matucha to accept all bids. All members present voted aye. Motion carried.

Deputy Sheriff Appointment: Motion by Lance Matucha, second by Myron Johnson to approve the appointment of Mark Green as Deputy Sheriff, for on-call needs of the Sheriff's Department, at no cost to the department's payroll. All members present voted aye. Motion carried.

Bridge Inspection Bid Letting: Motion by Lance Matucha, second by Jeff Johnson to advertise for engineering bids for the Annual Bridge Inspection Program to be let at 10:00 a.m. on March 1, 2022. All members present voted aye. Motion carried.

Gregory County Commissioner Districts Ordinance: The public hearing for the second and final reading of the redistricting ordinance of Gregory County was opened up at 10:45 a.m. as advertised. Language was drafted by Planning and Development District III to clearly define the Commission District boundaries. No one appeared at the hearing. Motion by Myron Johnson, second by Lance Matucha to close the public hearing. All members present voted aye. Motion carried.

Gregory County Ordinance #2022-01-Decennial Redistricting: Motion by Lance Matucha, second by Jeff Johnson to offer the following resolution of adoption of Gregory County Ordinance #2022-01:

RESOLUTION: WHEREAS, in accordance with SDCL 7-8-10, the Board of Commissioners shall redistrict its commissioner district representation areas; and,

WHEREAS, the 2020 Census has provided population statistics to support the district representation area for each Commission District so established; and,

WHEREAS, public hearings have been held to offer opportunity for testimony;

NOW THEREFORE BE IT RESOLVED, to adopt Gregory County Ordinance #2022-01- Decennial Redistricting and to publish said ordinance with an effective date of February 29, 2022, with the following Commissioner District lines:

Commissioner District #1: Shall include Gregory City South of 7th Street to North of 5th Street between West of Logan Avenue to East of Felton Avenue. Shall also include Gregory City North of 2nd Street to South of 7th Street between West of Felton Avenue to East of Park Avenue. Shall also include Dallas Town; Dallas Civil Township; Gregory Civil Township; Dixon Township; Edens Township.

Commissioner District #2: Burke City; Burke Civil Township; Lucas Township; Scissons Township; Turney Township.

Commissioner District #3: Shall include Gregory City East of Main Street to Felton Ave between South of 2nd Street to South of Duling Drive. Shall also include City of Gregory East of Felton Avenue South of 1st Street. Shall also include Herrick Town; Ellston Township; Union Township; Spring Valley Township; Lone Star Township; Jones Township; Carlock Township; Dickens Township; Sections 13-36 of Rhoades Township.

Commissioner District #4: Fairfax Town; Fairfax Civil Township; Randall Township; Star Valley Township; Bonesteel Town; Lindley Township; Pleasant Valley Township; Schriever Township; St. Charles Township; Turgeon Township; Whetstone Township.

Commissioner District #5: Shall include Gregory City North of 7th Street to North of 16th Street from East of Park Avenue. Shall also include Gregory City North of 1st Street to South of 5th Street East of Felton

BURKE SCHOOL DISTRICT #26-2	DECEMBER 2021 APPORTIONMENT	\$ 21,674.90
GREGORY SCHOOL DISTRICT #26-4	DECEMBER 2021 APPORTIONMENT	52,339.05
SOUTH CENTRAL SCHOOL #26-5	DECEMBER 2021 APPORTIONMENT	6,453.60
DIXON TOWNSHIP	DECEMBER 2021 APPORTIONMENT	3,581.66
EDENS TOWNSHIP	DECEMBER 2021 APPORTIONMENT	2,059.58
FAIRFAX CIVIL TOWNSHIP	DECEMBER 2021 APPORTIONMENT	1,016.54
JONES TOWNSHIP	DECEMBER 2021 APPORTIONMENT	1,604.62
LANDING CREEK TOWNSHIP	DECEMBER 2021 APPORTIONMENT	1,123.48
PLEASANT VALLEY TOWNSHIP	DECEMBER 2021 APPORTIONMENT	1,533.22
SCHRIEVER TOWNSHIP	DECEMBER 2021 APPORTIONMENT	671.10
STAR VALLEY TOWNSHIP	DECEMBER 2021 APPORTIONMENT	535.01
BONESTEEL TOWN	DECEMBER 2021 APPORTIONMENT	1,346.43
BURKE CITY	DECEMBER 2021 APPORTIONMENT	4,180.80
DALLAS TOWN	DECEMBER 2021 APPORTIONMENT	559.97
TOWN OF FAIRFAX	DECEMBER 2021 APPORTIONMENT	1,286.33
GREGORY CITY	DECEMBER 2021 APPORTIONMENT	10,395.86
TOWN OF HERRICK	DECEMBER 2021 APPORTIONMENT	644.65
SOUTH CENTRAL WATER DEV. DIST.	DECEMBER 2021 APPORTIONMENT	355.52

Appeara	\$ 134.78	R&B Supplies
Bartling Welding & Machine	2,720.00	R&B Supplies
Bierschbach Equipment	236.00	R&B Repairs
Bonesteel Enterprise	489.50	Publishing
Brosz Engineering Inc.	43,360.00	Small Structure Inv Field Work
Burke Body Shop	292.65	R&B Repairs
Burke Building Center	631.19	R&B & SW Supplies
Burke City	1,182.63	Utilities
Burke Gazette	619.00	Publishing
Burke Postmaster	1,740.00	Postage Doe
True Value Hardware-Burke	741.08	Courthouse Supplies
Butler Machinery	5,877.94	R&B Repairs
Charles Mix Co. Sheriff	65.00	Jail Prisoner Housing
CHS Winner	8,913.40	R&B Supplies
Community Memorial Hospital	506.00	R&B Supplies
Connecting Point	1,298.00	Supplies & Weed Equipment
Dallas Town	53.80	R&B Utilities
Dean Schaefer Court Reporting	30.00	Mentally Ill
Department Of Public Safety	40.00	Sheriffs Supplies
Diesel Systems	207.00	R&B Repairs
Drugtestsinbulk	360.82	24/7 Supplies
Evergreen Office Solutions	33.00	Sa Software
Executive Management	92.67	Rod Micrographics Services
First National Bank Omaha	2,141.45	Supplies

Frantzen Reporting	71.50	Courts
Golden West	1,443.77	Utilities
Great Western Tire Company	1,043.76	Sheriffs Supplies
Gregory County Conservation	15,000.00	Soil Conservation Allocation
Gregory Co. Treasurer	1,314.29	Partial Payment
Gregory Co. Treasurer	1,782.66	Partial Payment
Gregory Times Advocate	559.14	Publishing
Grossenburg Implement	480.63	R&B Repairs
Harry K Napa	197.95	R&B Repairs/Supplies
Hein Law Office	1,215.95	Court Appointed
Hwy 18 Laser	323.82	Supplies
Interstate Battery System	191.90	R&B Repairs/Supplies
Jim's Garbage Service	170.00	Courthouse Utilities
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Ken's Body Shop	186.00	R&B Supplies
Kennebec Telephone Company	50.66	911 Contract Expenses
Kimball Midwest	1,993.34	R&B Supplies
Lewis & Clark Behavioral	184.00	Mentally Ill
M&J Auto	279.41	R&B Repairs
Main Street Auto	1,586.01	R&B Repairs/Supplies
Marco	33.29	Copy Machine
Mcleod's Printing	316.60	DOE Supplies
Meyerink Farm Service	907.20	R&B Supplies
Microfilm Imaging Systems	6,034.00	ROD Comp software Maintenance
Mr. Automotive	140.80	R&B Repairs/Supplies
Nelson Machine & Welding	674.88	Sheriffs Repairs
Office Products Center	2,029.30	Supplies
Pahlke Law Office	374.90	Courts
Pennington Co. Jail	36.65	Jail Prisoner Housing
Peterbilt Of Norfolk	662.07	R&B Repairs
Planning & Dev Dist III	13,277.00	Planning & Zoning Membership
Prorate Services LLC	160.00	R&B Supplies
Purchase Power	35.94	Misc Fees
Purvis Electric	286.94	SW Supplies
Redwood Toxicology Laboratory	39.81	24/7 Supplies
Rob Kehn Trucking LLC	36,391.32	R&B Gravel Hauler
ROCS	4,500.00	Senior Citizens
ROCS Dining Services	5,160.96	Senior Meals
Rosebud Electric Cooperative	426.82	Utilities
Rosebud Farmers Union	51,346.90	R&B & CH Utilities/Supplies
Runnings	1,028.82	Supplies
S. Missouri Recycling & Waste	480.24	SW Rentals
Schreiber Law Firm Prof LLC	651.56	Court Appointed
Sd Asso. Of County Commission	1,549.00	Commissioners Supplies

SDACO	810.88	Dues
SDACOM & PRF	234.00	Dec 2021 M&P Collections
SD Dept. Of Revenue	100,820.85	Dec Transmittal Of Collections
SDML Workers Comp Fund	24,148.00	Worker's Comp Premium
SD Public Health Lab	120.00	Courts
SD State Treasurer	80.58	Sales Tax Return ROD Office
SDACHS	350.00	R&B Supplies
Sioux Equipment	605.25	R&B Supplies
Spencer Quarries/Comm Asphalt	7,201.52	R&B Supplies
Sandy J Steffen Law Office	1,296.35	Court Appointed
Taylor Plumbing	313.05	Courthouse Repairs
Timothy R. Whalen	816.65	Court Appointed
Tripp County Water User Dist.	41.20	R&B Utilities
True North Steel, Inc.	30,998.30	R&B Supplies
Us Bank Voyager Fleet System	2,157.48	Sheriffs Supplies
Verizon Wireless, Bellevue	412.19	Utilities
Weed & Pest Conference	450.00	Weed Pest Conf Reg & Dues
Wheelco	556.80	R&B Repairs
Winner Resource Center	400.00	Domestic Abuse Supplies
City Of Winner	8,470.00	Jail Prisoner Housing
Winner Family Drug	5.00	Jail Medical
The Winner Pharmacy	562.36	Jail Medical
Winner Regional Healthcare	570.93	Jail Medical Expenses
WW Tire Service	7,056.00	R&B Repairs
Yankton County Treasurer	125.00	Mentally Ill

All members present voted aye. Motion carried.

Abatement of Tax: Motion by Myron Johnson, second by Lance Matucha to approve an abatement of \$713.18 of tax on the house structure located in the SW ¼ of Section 5-98-71 (Susan Chytka). The structure should be valued and taxed as owner occupied, not Non-Ag Structure. All members present voted aye. Motion carried.

Travel Request: Motion by Jeff Johnson, second by Myron Johnson to approve the travel request of Brad Ellwanger, Highway Superintendent to attend the 2022 "Short Course" for Highway Superintendents in Deadwood, SD on March 22-24, 2022. All members present voted aye. Motion carried.

Restrictive Covenant and Acceptance of Grant Award: Motion by Jeff Johnson, second by Lance Matucha to authorize the Chair to sign the Restrictive Covenant and Declaration of Preservation Restrictions and to accept the \$20,000 grant award from the SD Historical Society (Deadwood Grants), for the Courthouse tuckpointing and brick cleaning project. All members present voted aye. Motion carried.

Courthouse Tuckpointing/Brick Restoration: Motion by Lance Matucha, second by Jeff Johnson to advertise for bids for tuckpointing and brick restoration/cleaning of the Courthouse, to be opened March 15, 2022 at 10:00 a.m. All members present voted aye. Motion carried.

Fire Suppression County Designee: The following resolution was offered by Jeff Johnson and seconded by Lance Matucha:

**Gregory County Designee Appointment
for Fire Suppression Assistance**

RESOLUTION

WHEREAS, in the event of an emergency wildland fire in Gregory County, the county may require assistance to suppress the fire; and,

WHEREAS, quick and decisive action is necessary in the event of a wildland fire for the safety of human life, livestock and individuals' properties; and,

WHEREAS, the South Dakota Department of Public Safety, Wildland Fire Division, is able to offer certain forms of assistance to Gregory County at no cost, per SDCL 41-20A-11;

NOW THEREFORE BE IT RESOLVED, that the Gregory County Commission appoints Commissioner Myron Johnson as its designee who will have the authority to obligate county funds in the event a request for fire suppression assistance from the State of South Dakota is required; and

BE IT FURTHER RESOLVED, that Commissioner Myron Johnson shall serve as the Gregory County designee for the term of January 1, 2022 through December 31, 2022.

Upon call for vote: Myron Johnson-aye; Jeff Johnson-aye; Lance Matucha-aye; Bob Hausmann-absent; Jessy Biggins-aye. Resolution passed.

Juvenile Detention Facility Discussion: The County Commission met via video-conference with Bridget Coppersmith and Nicole Gednalske of the SD Department of Corrections and Annie Brokenleg of the Unified Judicial System to discuss potential repurposing of the current Avera Hospital and Nursing Home facilities in Gregory. Also present for the meeting were Alex Hamilton, Gregory City F.O.; Anthony Timanus, Avera Health (Gregory) Administrator; Doug Pochop, Gregory City Economic Development; Megan Lindholm, Sheriff's Dept. Administrative Assistant; Tim Drey, Sheriff; Darwin Grim, Deputy Sheriff; Amy Bartling Jacobsen, State's Attorney; and Scott Anshutz, Gregory City Mayor.

The group discussed the needs in the area and region for juvenile housing, detention, and rehabilitation, and perhaps repurposing the Avera Hospital and Nursing Home structures may fill that need. Personnel from DOC and UJS will set up a meeting to tour the current facilities before further conservations are taken up.

Adjourn: Motion by Jeff Johnson, second by Myron Johnson to adjourn. All members present voted aye. Motion carried.

ATTEST: _____

Julie Bartling, Gregory Co. Auditor

Jessy C. Biggins, Chair